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# Kashmir Constructivism: Indian Policy on Pakistan from Mumbai to Modi

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**Kashmir Constructivism:**

**Indian Policy on Pakistan from Mumbai to Modi**

**PS 498 Honors in the Discipline Senior Thesis**

**Marc Unger**

**Dr. Dan Chen, Adviser**

## Introduction<sup>1</sup>

Perpetual conflict in South Asia continues to worry citizens and scholars alike. India and Pakistan find themselves locked in a historical clash which offers no foreseeable conclusion. Jawaharlal Nehru and Mohammad Jinnah, respective first leaders of the post-partition nation states, failed in their predictions that a separation of the subcontinent would ease the tensions of their fellow countrymen. Nuclearization of both states in the late 1990's gifted horror to international observers, clinging to a sense of deterrence found in the US-USSR conflict in the Cold War. Conflict resolution between India and Pakistan began with an official United Nations mission soon after partition, but no fruitful peace has surfaced to date. Is a lasting resolution between India and Pakistan of Kashmir possible? Scholars of international relations focus on general realist concepts to explain the conflict dynamic, pointing to mutually assured destruction post-nuclear armament as a deterrent to escalated motivations of war. This theory fails to represent the internal mechanisms of each nation state, focusing heavily on the notion of rational yet turbulent actors in the region. This research attempts to take one case study, India, and dissect its internal structures that promote ongoing conflict. Constructivist theory will be applied for analysis of Indian propensity to continue conflict with Pakistan at social and political levels. The timeframe of observation will begin following the 26/11 terrorist attacks in Mumbai in 2008 to the current Narendra Modi BJP regime in 2018. Qualitative methods like archival research will be utilized with observations on Hindu ideology and Indian policy towards Kashmir.

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## Literature Review

### *I. International Relations Theories*

Academic research on the subject of Kashmir generally pertains to the ongoing relations between India and Pakistan. Within international relations, sub-theories like neorealism and neoliberalism are used in the subcontinental context. Constructivism in international relations theory is an underutilized tool in scholarly analysis, pointed out by Sridharan (2005, 109) in the context of dominant dueling sub-theories with less significant work completed under the constructivist theoretical framework. Neorealism in South Asia pertains to a desire to balance each other's power through security measures and achieve relative gains in the region. Neoliberalism focuses more on the perceptions of the other state and one's strategic setting in the world order, such as their place in the United Nations or regional organizations (Sridharan, 2005, 109). Looking past these external-observatory frameworks and diving into the psychological underpinnings of a specific nation state that create said state's norms can build a better understanding of India's role.

Constructivism is the sub-theory utilized in the analysis of national institutions and their decision-making process (Hopf, 1998; Adler, 2002). The framework helps scholars to present the inner-workings of a particular country, with focus on the historical norms and underlying psychology of the people and their representatives. Under the umbrella of international relations, it does not rely on a bilateral dynamic to explain foreign policy, but explains how one state relates to the majority of their allies and opponents. The pivotal work of Wendt (1995) in theorizing constructivism allows research to focus on the inner-workings of a singular nation state rather than external national and institutional influences. He seeks to unearth the anarchical tendencies of domestic actions from realism to explain the abstract consequences of

postmodernism and critical theory. To fully comprehend the pressing issues of Kashmir through a constructivist lens, one must also consider psychological factors.

## *II. Psychology Theories*

Moghaddam (2018) contributes to the psychological understanding of the Indian relations toolkit with mutual radicalization theory. It can be defined as the effect of state relations as a catalyst for public formations of radical ideology towards another state. In this case, Indian policy becomes reactionary and aggressive due to Pakistani policy towards Kashmir, and vice versa. The state of Jammu and Kashmir is a “prize” for India, losing which would result in “national defeat and humiliation” (Moghaddam, 2018, p. 137). Pakistan’s support of non-state actors in the region increases Indian radicalization in the public mindset and legislative policy. One major example lies in the Maharashtra city of Mumbai in 2008. The events of 26/11, terror attacks on Mumbai targets orchestrated by Pakistani assailants, pushed to radicalize an already tense Indian population, as well as forming a victim identity of the state for the Indian public (Moghaddam, 2018, p. 146). Much like their American counterparts in 2001, Indians felt victimized and ready to retaliate against their Northwestern neighbor.

Another important theory to understand the Indian dynamic is Communal Polarization. A variation on the widely-used term political polarization, the communal version emphasizes the stark divide of groups based on identity, along with an assumption of violence. Many scholars use the term in their psychological understandings of India (Bhagat, 2012; Pardeshi 2018). Communal polarization is relatively tied to the Indian case study, given its diversity and history of violence along religious lines. Sheth (2002) accounts the Gujarat state’s dive into communal riots and ethno-religious conflict after partition of India. Local politicians incurred such tension in the population of the North Indian state for short-term political gain. The violence goes against

the perspectives of Gandhi and Jinnah just a generation prior, but garners more legitimacy with the known leadership of Narendra Modi as Chief Minister of Gujarat before his tenure at the national level. In international terms, as tensions rise between two nations through resentment and misunderstood action, consequential action is taken by a state actor in official retaliation. This theory differs from mutual radicalization in the implementation of negative policies and military force rather than mere heightened tensions.

Putting radicalization and communal polarization to a face, the Rashtriya Swayamsewak Sangh, translated as the National Volunteer Organization, stands as the most prominent Hindu nationalist group in India. Chronicled by Bala (2017), the RSS began as an answer to Hindu-Muslim riots in the 1920s, leading concerned Hindus, such as Dr. Keshav Baliram Hedgewar and Vinayak Damodar Savarkar to begin a campaign to unite Hindus towards independence. The RSS officially launched in 1925 with one locality where they had their work. The organization was banned four times, once by the British Raj and thrice by the Republic of India. As of 2016, the RSS holds over 56,000 local branches all across India. Their mission is to bolster the Hindu identity and protect Hindus from “Muslim annihilation” (Bala, 914). Political ambitions begin in the 1980s with the current national government party head.

A thorough theory in psychology to illustrate India’s policy towards Kashmir is In-Group Favoritism, defined as a preference toward one’s particular group to another (Everett, Faber, and Crockett, 2015). The psychological phenomenon is chosen due to the study focusing primarily upon elite government action, not the Indian citizen (radicalization) or a identity group (communal polarization). In-group favoritism benefits from its lack of connection to previous literature involving local Indian violence, allowing for an objective lens into the ruling party’s decision-making. Taking directly from the BJP’s Hindu Nationalist ideology, actions taken by

the government against Pakistan serve as betterment and self-defense of the former state. India gave Pakistan time following 26/11 to follow through and investigate the perpetrators thoroughly, but after years of no significant progress India began viewing Pakistan as a state sponsor of terror in groups like Al Qaeda and more recently, Jaish e Mohammed. Such connections force liberal democratic countries to engage states with caution and possible force for their own safety. The tensions prevent Indian government officials, even through diplomatic channels, from having a frank conversation on the future of Kashmir.

### *III. Interdisciplinary Theory and Implementation*

As for norms analysis in constructivist theory, Ogden (2010) observes Indian foreign policy from 1998 to 2004, the first national government led by the BJP through the National Democratic Alliance coalition, and compares their legislative action to historical precedent. He found that the BJP was constrained by Indian norms by negotiating with Pakistan after “rhetorical confrontation”, but transformed relations through the assimilation of nationalist *Hindutva* ideology into foreign policy (Ogden, 2010, 308). The latter can be seen in the preservation and growth of the Indian identity and desire to maintain a South Asian hegemony over Pakistan and other neighbors.

The following study will take from both International Relations and Psychology to produce a theoretical basis for the implementation of In-Group Favoritism in Constructivist theory. The combination provides the blueprint for future norms analysis of a given nation-state, supplementing the psychological theory of best fit for the circumstances in a country’s foreign policy. For use in studying elite governmental decision-making, the author finds In-Group Favoritism to be the theory of best fit, while communal polarization is necessary for religious groups or other non-state actors, and radicalization is best for the individual.

Applying the norms analysis to the case of India, the government relies on three major factors in relations with their nation-state neighbors: mutual respect, peaceful coexistence, and non-interference (Ogden, 2010). Dependent upon the administration, their relations with Pakistan garnered respect, relative peaceful coexistence, and non-interference. This research dives into the timeline of the 26/11 attacks, recording changes in diplomatic attitudes towards Pakistan. The latter half of the analysis reviews the diplomatic efforts of the Modi Administration. Constructivism also pulls from the psychological lexicon, providing deeper context into the BJP and their intentions.

### **Methodology**

On the basis of constructivism and previous work by Chris Ogden (2010), the study utilizes a research tool this researcher calls the “Norms Analysis Timeline,” or NAT. The purpose of the tool is to plainly present to the reader a breakdown of international relations norms for a particular case study country and policy area overtime. The timeline begins with the events of 26/11/2008 in Mumbai, India and shifts in Pakistan policy occurring in the national government. The next section is the shift in Indian policy towards Pakistan with the inauguration of Prime Minister Narendra Modi in 2014.

The presented NAT consists of four norm shift descriptors: before 26/11, after 26/11, before Modi, and after Modi. Policy used in analysis does not exceed three years from the event in question, with exception to the Modi government still in power, giving each analysis a six-year span of 2006-2011 and 2012-Present. The NAT in this study is visualized by a table, with the top boxes reading, “Major National Event,” “Norms Dictionary,” “Psychological Perception,” and “Diplomatic Actions.” Observance of legislative and diplomatic endeavors of the Government of India will serve as data in creating the NAT. Said information comes from



*India Code* and the *Ministry of External Affairs* chronicling the actions and reactions over the period in question. Two main areas of archival retrieval will take place in the Bilateral/Multilateral Agreements and the Press Releases subsections of the Ministry's Media Center. The author expects to find significant reasoning in the NAT for insight into the question of conflict perpetuation.

## **Subject of Analysis**

### *I. Mumbai Attacks 26/11/2008*

The landscape changed drastically in 2008. Over the span of four days, ten individuals from the Kashmir-based *Lashkar-e-Taiba*, roughly translated to Army of the Pure, carried out twelve strategic shooting and bombing attacks in Mumbai, resulting in 166 casualties. The attack, called "26/11" today, hit the hearts of Indians with the same heartbreak and deep resentment that 9/11 created for American citizens. India finally realized that the true threat came from non-state actors and shifted focus towards anti-separatist and terrorist organizations over strategic relations with Pakistan, the country known to harbor such organizations to the dismay of their Southeastern neighbor.

### *II. BJP of India*

The Bharatiya Janata Party (BJP) stands as the ideological brother of the RSS. Their origin was a breakoff from the Janata Party where members wished to hold dual membership with the RSS. After party denial of dual membership, defectors created the BJP in 1980. They hold Hindu nationalism dear to their political positions, and focus mainly on domestic issues in their legislation. Prime Minister Narendra Modi, the current head of government, is a prominent BJP/RSS dual member with no shame in considering himself an advocate for *Hindutva*.

## **Historical Norms of Indian International Relations**

Since partition of India and Pakistan, the countries clashed for Kashmir until today. United Nations administered ceasefires for two interstate wars, in 1949 and 1965, but constant conflict over disputed territory like former East Pakistan, current Bangladesh, and the Kashmir Valley made peace in the region a pipedream. Within the Indian government, norms began to surface on how to properly engage with Pakistan legislatively, diplomatically, and strategically. The *Lok Sabha*, the lower house of parliament, engaged in legislation on Pakistan with the notion of irredentism towards Kashmir, crafting policy initiatives revolving around defense over diplomacy. Conflicts in 1999 and 2001 presented India with a new problem, non-state actors within Pakistan conspiring against India. This notion delegitimized the Pakistani government for Indian policymakers, but left the subcontinent eager to reach ceasefires and anti-terrorism measures.

Leading up to the attack in 2008, several ministries of both countries engaged in various talks on cooperation in diverse areas such as counterterrorism, repatriation of prisoners, and nuclear confidence-building measures. These talks were mainly described by the Ministry of External Affairs Joint Statements as “cordial” and “constructive.” The only bilateral meeting with a divergent setting description was a 2007 meeting of the Home/Interior Ministers on Terrorism and Drug Trafficking, with “frank” and “candid” (MEA, 2007). The outlier bears no significance at the time of the statement’s release, but would set a precedent after the events of 2008.

## **Norm Shift after 26/11**

India and Pakistan worked together from 2008 to 2010 on a dual investigation into the 26/11 Mumbai terrorist attacks implemented by *Lashkar-e-Taiba*, with India trusting their neighbor to carry out a thorough dismantling of terror outfits. However, India put out a statement before the second anniversary condemning the Islamic Republic in a statement. “Lack of tangible progress in delivering on this vital commitment is increasingly being viewed in the Indian public opinion as dilatory and lacking in seriousness.”<sup>2</sup> The Indian government shares only one bilateral meeting in the period following 26/11 to March of 2011, a joint statement of the Prime Ministers of India and Pakistan. The two leaders reassure with condemnations of terrorism in all forms while also agreeing to enhanced information sharing. Besides this statement, no ministerial-level talks between the countries were reported for two and a half years.

Bilateral relations on the cabinet-level restarted in March, 2011 with Home/Interior secretary talks regarding ongoing investigations and prisoner repatriation. The gap in formal relations between the two countries is most likely due to in-group favoritism, given the 26/11 bombing in 2008 alongside other acts of terrorism in that period. The Government of India realized their constituents were uneasy with Pakistan’s housing of various terrorist cells and perceived inability to try and sentence those accused of the Mumbai attacks in a timely manner. As of January 2019, the 26/11 Trial in Pakistan remains active, with no clear end in sight (Ahmad and Laskar, 2019). Although bilateral relations kick-started again in 2011, the lack of Indian dialogue and perceived resentment sets a strong precedent for the nationalist party to govern upon just three years later.

### **Norm Shift in Modi Era**

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<sup>2</sup> Collected from the Ministry of External Affairs repository, November 2010.

The victory of the Bharitya Janata Party in the general elections granted them an absolute majority in the *Lok Sabha*, the lower house of parliament. Narendra Modi, former Chief Minister of Gujarat, became the new Prime Minister of India. During his term, local elections were in favor of the BJP who now hold 15 of possible 29 Chief Minister positions across India, giving Modi a 53% majority of state government legitimacy for his national vision.

The early days of BJP India saw Modi's motivation to combat terrorism alongside his South Asian partner in the President of Pakistan. Events in 2016 involving thwarted terrorists and a successful killing of eight Indian security personnel in Uri led the Modi government to greenlight a surgical strike on Pakistan in late September. Television coverage of the use of force became Nationalistic, allowing Hindu citizens to feel superior to their Pakistani counterparts (Pandit and Chattopadhyay, 2018). The retaliation of Pakistan was a series of ceasefire violations through 2017 numbering in the hundreds. India in this period rescinded their desire for non-interference with this strike, leaving peace talks as an impossibility in the near future.

The most significant shift in Indian relations with Pakistan was the new use of diplomatic demarches toward Pakistan. Demarches are official diplomatic cables sent to another country to formally protest a decision or action taken by that state. The Ministry of External Affairs prior to 26/11 and Modi rarely implemented this tactic, only sending a demarche to the Netherlands following the detention of 12 Indian nationals in 2006<sup>3</sup>. Since Modi took office, Pakistan received seven demarches between 2016 and 2019, making the BJP's protest of current efforts of Pakistani officials very clear. Modi's focus on domestic legislation and diplomatic protest of his neighbor nation define a shift in Indian foreign policy.

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<sup>3</sup> Collected from the Ministry of External Affairs repository, August, 2006.

## Constructing Kashmir Policy

Recent history of Indian relations with Pakistan provide information capable of encapsulating the country's direction in conflict perpetuation. The Ministry of External Affairs maintains diplomatic relations with Pakistan throughout the early part of the 21<sup>st</sup> century, reiterating seemingly several times of Pakistan's commitments in 2004 to fight terrorism targeting India with little response from the state. Several actions from non-state actors in the period complicated India's relations with Pakistan, delegitimizing the latter's ability to uphold security commitments, forcing India to change course with legislation and diplomatic efforts in the Modi era. The full analysis in the visualization of a NAT lies below.

### Norms Analysis Timeline – Pakistan Policy of India<sup>4</sup>

Major National Event	Norms Dictionary	Psychological Perception	Diplomatic Actions
26/11 – Before 2006-2008	- Striving for Mutual Respect, Peaceful Coexistence, and Non-Interference	Regional allies in the fight against terrorism, part of the same group.	Bilateral Meetings:32 Demarches:1
26/11 – After 2009-2011	- Striving for Mutual Respect, Peaceful Coexistence, and Non-Interference	In-Group Favoritism based on lack of bilateral dialogue in this period.	Bilateral Meetings:12 Demarches:0
PM Modi – Before 2012-2014	- Striving for Peaceful Coexistence and Non-Interference	Restarting of official relations, but resentful of no counterterror results.	Bilateral Meetings:11 Demarches:0
PM Modi – After 2014-Present	- Striving for Peaceful Coexistence?	Resentment and In Group Favoritism.	Bilateral Meetings:2 Demarches:7

<sup>4</sup> Model Created based on analyzed information collected from Indian Ministry of External Affairs and *India Code* websites.

## Discussion

The table above reveals much about norm shifts in Indian policy towards Pakistan from 2006 to 2019. The second column, titled Norms Dictionary, breaks down the presence of the three core norms set out by Prime Ministers of both nations, “Mutual Respect,” “Peaceful Coexistence,” and “Non Interference.” Over time, the Ministry of Foreign Affairs database presents minimal dedication on India’s part in keeping with these norms. The term “Striving” accentuates the tense historical relations and inability to facilitate said norms for long periods of time. The removal of “Mutual Respect” derives from Pakistan’s delayed proceedings in regards to 26/11 attackers, and India’s view of judicial superiority in counterterrorism. The absence of “Non-Interference” in the Modi era comes through the use of retaliatory surgical strikes against Pakistani targets after bombings in Jammu and Kashmir. Lastly, “Peaceful Coexistence” precedes a question mark because of the uncertainty in the short term. The third column attempts to clarify the psychological shifts of the Indian government with regards to Pakistan. “In Group Favoritism” is found years after 26/11 and within the Modi Era due to building resentment of Pakistan’s lack of action in counterterrorism.

The most significant column is titled “Diplomatic Actions,” or quantifiable government action in relation to another nation state. The first period, 2006 to 2008, saw a status quo of relations with frequent bilateral meetings and one demarche protest for an unrelated issue. Over the next two periods, 2009 to 2014, India significantly decreased their bilateral meetings with Pakistan, halting cabinet-level talks for a year-and-a-half period between 2008 and 2010. The Modi era was most telling, seeing a drop to two meetings for the entire Prime Ministerial term, replacing them with an unprecedented seven demarche cables over five years. Utilizing the

Norms Analysis Timeline, it is clear that major shifts have taken place through sociopolitical and ideological means.

Building on prior work in constructivism from the Indian perspective, the research suggests a new theoretical addition to common international relations literature: psychological aspects in national decision-making. The supplementation of interdisciplinary concepts like psychology allows for a fresh perspective. Much like decision-making in individuals, nation-states provide a framework into their actions with the categorization tools of the alternative social science. Combining international relations norms with group-related theories in psychology gives researchers a broad range of qualitative avenues to pursue.

In terms of Kashmir, the Indian government is no closer to coming to conclusions with Pakistan as a result of the norm shift. Typically, a change in office, with Imran Khan leading Pakistan after 2018 and elections running in India in mid-2019, allows for the two countries to start diplomatic relations fresh, but recent shifts call for more tension (Krepon, 2018). Both nations find themselves under exceptionally-patriotic regimes, India being nationalist and Pakistan populist. The end of the Kashmir struggle extends beyond the horizon once again, but new decision-makers in government may garner better results down the line.

### **Limitations**

The following limitations apply to this study. First, the specificity of the paper relating to the relationship between India and Pakistan does not allow for direct generalization to other conflicting nations outside of South Asia. However, the model of analysis is open to alternative country case studies using foreign relations of a particular country. Second, the interdisciplinary theorization, international relations and psychology, opens the paper to increased generalities of

the two disciplines. The purpose of the combination is to show aspects of Constructivism in international relations that include psychological underpinnings not found in most literature representing the theory. Lastly, the research and analysis is presented from the United States higher educational system, presenting areas of bias not found in literature coming directly from the Republic of India. To combat this bias, much of the analysis attempts to pull from in-country experience and nuance gained from the researcher in previous endeavors.

## **Conclusion**

India and Pakistan seem to exist in a paradigm of cyclical conflict and attempted peace dialogue. The research suggests a shift in Indian foreign policy norms with two catalysts being the 26/11 Mumbai terrorist attacks and the election of Prime Minister Narendra Modi of the BJP. India attempts to maintain three foundations in their foreign policy: mutual respect, peaceful coexistence and non-interference. Following the 26/11 bombings and subsequent trials in Pakistan, India lost its sense of respect for the validity of the Pakistani judicial system and their diligence in counterterrorism efforts. During the Modi administration, surgical strikes and diplomatic protests in the form of demarches rescinded India's desire for non-interference. The final pillar, peaceful coexistence, remains in place as a goal rather than a reality. Psychologically, India presents In-Group Favoritism in their foreign policy with Pakistan, sensing a danger from Pakistani nationals after 26/11 and the acceptance of BJP nationalist ideology for national governance. Conflicting relations between the South Asian nations reflects the new norm for the Indian Republic, with future possibilities of peace out of reach.



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